



## Senate

General Assembly

**File No. 5**

February Session, 2018

Substitute Senate Bill No. 104

*Senate, March 12, 2018*

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist. and SEN. MINER of the 30th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

### ***AN ACT PROHIBITING THE USE OF RESIDENTIAL AUTOMATIC PESTICIDE MISTING SYSTEMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2018*) (a) On and after January  
2       1, 2019, no person shall install or utilize any residential automatic  
3       pesticide misting system at a location that is twenty feet or less from  
4       the boundary of such person's property with any other parcel of  
5       property. For purposes of this section, "residential automatic pesticide  
6       misting system" means any device that is designed to be installed on,  
7       near or around the exterior of any residential dwelling or the grounds  
8       of such residential dwelling and to automatically spray any pesticide  
9       solution at timed intervals.

10       (b) The Commissioner of Energy and Environmental Protection may  
11       adopt regulations, in accordance with the provisions of chapter 54 of  
12       the general statutes, to implement the provisions of subsection (a) of  
13       this section. Such regulations may include, but shall not be limited to,

14 the establishment of a fine for the violation of subsection (a) of this  
15 section.

16 (c) Nothing in this section shall be construed to prohibit the use of  
17 any misting-type device in a commercial nursery or an agricultural  
18 application.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	New section

**ENV**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 19 \$	FY 20 \$
Department of Energy and Environmental Protection	GF - Potential Revenue Gain	Minimal	Minimal

Note: GF=General Fund

***Municipal Impact:*** None

#### ***Explanation***

The bill expands the Department of Energy and Environmental Protection's (DEEP) authority to adopt regulations setting fines for violations for the use of automatic residential pesticide misters under certain conditions.

To the extent these regulations are adopted and enforced, there could be a minimal revenue gain associated with fines for violations.

#### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of violations.

**OLR Bill Analysis****sSB 104*****AN ACT PROHIBITING THE USE OF RESIDENTIAL AUTOMATIC PESTICIDE MISTING SYSTEMS.*****SUMMARY**

This bill prohibits, beginning January 1, 2019, installing or using a residential automatic pesticide misting system within 20 feet of a property boundary. Under the bill, a “residential automatic pesticide misting system” is a device designed to be installed on, near, or around a home’s exterior or grounds and automatically spray pesticide at timed intervals. The bill allows for the use of these misting devices in commercial nurseries or for agricultural application.

The bill authorizes the energy and environmental protection commissioner to adopt implementing regulations, which may include a fine for violating the ban.

EFFECTIVE DATE: October 1, 2018

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 30 Nay 0 (02/28/2018)